IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIDNARY ORIGINAL CIVIL JURISIDICTION

CHAMBER SUMMONS NO.103 OF 2004
IN
SUIT NO.1424 OF 2002

Maaneck Behramji Daruwalla .. Plaintiff

Vs.

Global Behramji Daruwalla & Ors... Defendants

None for the plaintiff

Mr.Z.B.Kendia i/b M/s.Mulla & Mulla & Craigie Blunt & Caroe for the defendants

CORAM: S.U. KAMDAR, J.

DATE : 29TH MARCH, 2005

P.C. :

. The present Chamber Summons has been taken out to delete the name of the deceased and add the name of the executors on record. The learned counsel for the defendants however contends that in view of the fact that the will is not probated chamber summons cannot be granted. Contention has no substance. In view of the division bench judgment in the case of Ramniklal Amritlal Shah Vs. Bhupendra Impex P.Ltd & Others reported in 2001(2) Bom.C.R.479 Chamber Summons is made absolute in terms of prayer clause (a)